

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
January 23, 2011

Closed Session: yes

Call to Order: Meeting was called to order at: 9:10 a.m.

Opening Ceremony: Moment of Silence

Physical Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor Aaron Otto

Absent: Councilor Melvin L. Kiogima, Councilor Marvin Mulholland, Councilor Gerald V. Chingwa, Councilor Rita Shananaquet

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Vice-Chairman Dexter McNamara, Tribal Chairman Ken Harrington. Natural Resource Director Doug Craven

Guests: Doug Emery, Diane Bott, Yvonne McShane, Steve Socham, John Keshick, Winnay Wemigwase, Beverly Wemigwase, Bill Denemy, Nancy Kiogima, Dean Samuels, Jr.

9:13 a.m. Councilor Kiogima arrived.

9:15 a.m. Councilor Chingwa arrived.

Motion made by Treasurer Bott and supported by Councilor Otto to adopt the agenda as amended for January 23, 2011.

Vote: 7- Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor R. Shananaquet)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to approve the minutes of January 9, 2011 as presented.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor R. Shananaquet)

Motion carried.

9:21 a.m. Elder Comments: no comments.

1 Motion made by Councilor Bardwell and supported by Councilor Kiogima to
2 accept the Secretary Gasco Bentley verbal Secretary report for January 23,
3 2011.

4 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor
5 R. Shananaquet)

6 Motion carried.

8 Motion made by Councilor Bardwell and supported by Councilor Kiogima to
9 accept Treasurer Bott's verbal and written Treasurer and Appropriations and
10 Finance Committee report for January 23, 2011.

11 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor
12 R. Shananaquet)

13 Motion carried.

15 10:10 a.m. Motion made by Secretary Gasco Bentley and supported by
16 Treasurer Bott to go into close session for personnel.

17 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Mulholland, Councilor
18 R. Shananaquet, Legislative Leader J. Shananaquet)

19 Motion carried.

21 10:27 a.m. Motion made by Councilor Otto and supported by Treasurer Bott to
22 return to open session.

23 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor
24 R. Shananaquet)

25 Motion carried.

27 10:28 a.m. Recess called. Councilor Mulholland arrived.

28 10:38 a.m. Meeting reconvened.

30 Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell
31 to approve supplemental funding for Legislative Office Summer Intern in the
32 amount of \$9,500.00 to come from prior period funds.

33 Vote: 8 - Yes, 0 – No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)

34 Motion carried.

36 11:51 a.m. Public Comment opened: Yvonne McShane requested definitions to
37 acronyms used on the agenda and minutes. Yvonne also asked for definition of
38 church and state with regard to the Tribe. Doug Emery was concerned with
39 treatment during an interview process. John Keshick spoke regarding the Inland
40 Consent Decree and fish hatchery planting.

41 12:02 p.m. Public Comment closed.

43 Motion made by Councilor Otto and supported by Secretary Gasco Bentley to
44 accept the Legislative Leader J. Shananaquet verbal and written report for
45 January 23, 2011.

46 Vote: 8 - Yes, 0 – No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)

47 Motion carried.

1 Motion made by Councilor Bardwell and supported by Councilor Mulholland to
2 approve Tribal Council travel for 2011.

3 Vote: 8 - Yes, 0 – No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)

4 Motion carried.

5
6 Motion made by Councilor Mulholland and supported by Councilor Kiogima to
7 approve the donation by CMS Land Company, for construction and maintenance
8 of the LTBB Fishery in the amount of \$250,000.00 in accordance with the Grant,
9 Donation and Other Funding Policy.

10 Vote: 5 - Yes, 3 – No (Councilor Otto, Councilor Chingwa, Secretary Gasco
11 Bentley), 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)

12 Motion carried.

13
14 12:08 p.m. Lunch recess called.

15 1:33 p.m. Meeting reconvened. Councilor R. Shananaquet arrived.

16
17 Motion made by Councilor Bardwell and supported by Councilor R. Shananaquet
18 to accept the Land and Reservation Committee update as presented by
19 Committee Chairperson Kiogima.

20 Vote: 9 - Yes, 0 – No, 0 - Abstained, 0 - Absent

21 Motion carried.

22
23 Motion made by Councilor Kiogima and supported by Councilor Bardwell to
24 accept the Legal and Legislative Committee update as presented by Committee
25 Chairperson Chingwa for January 23, 2011.

26 Vote: 9 - Yes, 0 – No, 0 - Abstained, 0 - Absent

27 Motion carried.

28
29 Rules of Conduct Committee update from Committee Chairperson Councilor Otto
30 consisted of no reports filed for Committee review.

31
32 Motion made by Councilor Bardwell and supported by Councilor R. Shananaquet
33 to accept the Gaming Authority Committee report as presented by Committee
34 Chairperson Chingwa for January 23, 2011.

35 Vote: 7 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 1 – Absent (Councilor R.
36 Shananaquet)

37 Motion carried.

38
39 2:40 p.m. Recess called.

40 2:51 p.m. Meeting reconvened.

41
42 3:07 p.m. Public Comment opened: Yvonne McShane spoke regarding Tribal
43 Council Commissions stipends with regard to Tribal Council's compensation.
44 Yvonne also spoke regarding the Native American Graves Protection and
45 Repatriation Act and who that position reports to. Dean Samuels Jr., spoke with
46 concern regarding the economic development of the former Victories property.

47 3:16 p.m. Public Comment closed.

1 Motion made by Councilor R. Shananaquet and supported by Secretary Gasco
2 Bentley to accept Legislative Services Attorney Budnick's verbal and written
3 report for January 23, 2011.

4 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

5 Motion carried.

7 Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to
8 table the Confidential Supplemental Release and Summary of the Bonds until
9 such time that Tribal Council can meet with the bondholder to discuss further;
10 and all information regarding the bond and the negotiation of the bond shall
11 remained confidential until released from Tribal Council.

12 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

13 Motion carried.

15 Motion made by Councilor Bardwell and supported by Treasurer Bott to
16 acknowledge receipt of Tribal Chairman Harrington's verbal and written report for
17 January 23, 2011.

18 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

19 Motion carried.

21 Motion made by Councilor R. Shananaquet and supported by Secretary Gasco
22 Bentley to approve: Request for Funding from the United States Department of
23 the Interior, Bureau of Indian Affairs, Little Traverse Bay Bands of Odawa
24 Indians, FY2011 Circle of Flight Project.

25 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

26 Motion carried.

28 Motion made by Secretary Gasco Bentley and supported by Councilor R.
29 Shananaquet to approve: Funding from the U.S. Department of Housing and
30 Urban Development FY 2011 Rural Innovation Fund Program Little Traverse Bay
31 Bands of Odawa Indians Housing Rural Innovation Fund Project.

32 Vote: 7 - Yes, 2 – No (Legislative Leader Julie Shananaquet, Councilor
33 Chingwa), 0 - Abstained, 0 – Absent

34 Motion carried.

36 Motion made by Legislative Leader Julie Shananaquet and supported by
37 Councilor Bardwell to approve: Request for Funding from Hestia Foundation
38 Hestia Women's Giving Circle Little Traverse Bay Bands of Odawa Indians "My
39 Daughter, My Friend".

40 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

41 Motion carried.

43 Motion made by Secretary Gasco Bentley and supported by Councilor R.
44 Shananaquet to approve: Request for Funding from the U.S. Department of
45 Justice, Office on Violence Against Women Grants to Encourage Arrest Policies
46 and Enforcement of Protection Orders Program Little Traverse Bay Bands of
47 Odawa Indians Arrest Program.

48 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

1 Motion carried.

2
3 Motion made by Councilor R. Shananaquet and supported by Secretary Gasco
4 Bentley to approve: Request for Funding from the National Historical Publications
5 and Records Commission National Archives and Records Administration Little
6 Traverse Bay Bands of Odawa Indians Digitizing Historical Records Project.

7 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

8 Motion carried.

9
10 Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell
11 to approve: Request for Funding from the U.S. Department of Justice, Office of
12 Justice Programs' Bureau of Justice Assistance, Justice and Mental Health
13 Collaboration Program, Little Traverse Bay Bands of Odawa Indians
14 Collaboration of Justice and Mental Health Systems Project.

15 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

16 Motion carried.

17
18 Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to
19 approve: Request for Funding from the United States Department of the Interior,
20 Bureau of Indian Affairs, Great Lakes Restoration Initiative (GLRI) Little Traverse
21 Bay Bands of Odawa Indians, FY2011 BIA GLRI Eagle Project.

22 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

23 Motion carried.

24
25 Motion made by Secretary Gasco Bentley and supported by Legislative Leader J.
26 Shananaquet to approve: Request for Funding from the United States
27 Department of the Interior, Bureau of Indian Affairs, Great Lakes Restoration
28 Initiative (GLRI) Little Traverse Bay Bands of Odawa Indians, FY2011 BIA GLRI
29 Beaver Island Project.

30 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

31 Motion carried.

32
33 Motion made by Secretary Gasco Bentley and supported by Legislative Leader J.
34 Shananaquet to approve Enrollment List A – Eligible for Citizenship dated
35 January 20, 2011 for a total of 7.

36 Vote: 8 - Yes, 1 – No (Councilor Chingwa), 0 - Abstained, 0 – Absent

37 Motion carried.

38
39 Motion made by Councilor R. Shananaquet and supported by Treasurer Bott
40 to acknowledge Citizenship List C – Voluntary Relinquishment dated January 20,
41 2011 for a total of 2.

42 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

43 Motion carried.

44
45 Motion made by Legislative Leader J. Shananaquet and supported by Secretary
46 Gasco Bentley to approve 1836 Ceded Territory Natural Resources Rules and
47 Regulations REG-WOS 2008-012 102710-001.

48 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 – Absent

1 Motion carried.

2
3 Motion made by Councilor R. Shananaquet and supported by Legislative Leader
4 J. Shananaquet to adopt: Waganakising Odawak Statute financial Disclosure by
5 Tribal Officials.

6 Councilor Bardwell-yes, Councilor Chingwa-no, Councilor Kiogima-yes, Councilor
7 Mulholland-no, Councilor R. Shananaquet-absent, Councilor Otto-no, Treasurer
8 Bott-no, Secretary Gasco Bentley-no, Legislative Leader Julie Shananaquet-yes
9 Motion failed.

10
11 Motion made by Legislative Leader J. Shananaquet and supported by Councilor
12 Bardwell to adopt: Waganakising Odawak Statute Bullying Prohibition.
13 Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes,
14 Councilor Mulholland-yes, Councilor R. Shananaquet-absent, Councilor Otto-yes,
15 Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie
16 Shananaquet-yes
17 Motion failed. .

18
19 5:05 p.m. Councilor R. Shananaquet left the meeting.

20
21 Motion made by Legislative Leader Julie Shananaquet and supported by
22 Councilor Chingwa to adopt: Waganakising Odawak Statute Treasury Office.
23 Roll Call Vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor
24 Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-absent,
25 Councilor Otto-no, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative
26 Leader Julie Shananaquet-yes
27 Motion carried

28
29 Motion made by Councilor Mulholland and supported by Councilor Chingwa to
30 pass Odawa Economic Development Management Inc., Corporate Charter.
31 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)
32 Motion carried.

33
34 Motion made by Legislative Leader J. Shananaquet and supported by Treasurer
35 Bott to post the Legislative Calendar the Gaming Regulatory Statute to the
36 Legislative Calendar.
37 Vote: 7 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 1 – Absent (Councilor R.
38 Shananaquet)
39 Motion carried.

40
41 5:12 p.m. Motion made by Secretary Gasco Bentley and supported by Treasurer
42 Bott to go into closed session for personnel.
43 Vote: 5 - Yes, 0 - No, 0 - Abstained, 4 – Absent (Legislative Leader J.
44 Shananaquet, Councilor Mulholland, Councilor R. Shananaquet, Councilor
45 Kiogima)
46 Motion carried.

1 5:30 p.m. Motion made by Treasurer Bott and supported by Councilor Bardwell to
2 return to open session.

3 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)

4 Motion carried.

5
6 5:31 p.m. Motion made by Treasurer Bott and supported by Councilor Chingwa
7 to adjourn.

8 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor R. Shananaquet)

9 Motion carried. .

10
11
12 These Minutes have been read and approved as written (or) corrected: (delete
13 either the word “written” or “corrected” as pertains to how the minutes were
14 approved.)

15
16
17
18 _____
Regina Gasco Bentley, Tribal Council Secretary

Date